

MINUTES
UTAH SOLID AND HAZARDOUS WASTE CONTROL BOARD MEETING
Utah State University
Utah Water Research Laboratory, Conference Room #301
1600 East Canyon Road, Logan, Utah
June 9, 2005

Board Members Present: Craig Anderson (Chair), John Newman (Vice-Chair), Michael Brehm, Scott Bruce, Carlton Christensen, Dianne Nielson, William Doucette, Craig Forster, Kevin Murray, Dennis Riding.

Staff Members Present: Dennis Downs (Executive Secretary), Brad Johnson (Executive Secretary UST), Brent Everett, Dave Larsen, Rusty Lundberg, Brad Maulding, Allan Moore, Cheryl Prawl, Bill Rees, Don Verbica, Raymond Wixom.

Others Present: Dan Shrum, Keller Davis, Richard Rathbun, Clint Warby, Scott Reed, Jeff Carter, Tony Kittner, Chris Lilley, Tye Rogers.

I. The meeting was called to order at 1:40 p.m.

William Doucette was acknowledged for his efforts in coordinating the lunch and the use of the Utah Water Research Laboratory Conference Room for the Board meeting. Mr. Doucette extended an invitation to all attendees to tour the Utah Water Research Laboratory following the Board meeting. Board members Gary Mossor, Kory Coleman, and David Cunningham were excused from the meeting.

II. It was motioned by John Newman and seconded by Carlton Christensen and unanimously carried that the May 12, 2005, Board Meeting minutes be approved with the following correction: (Introduction of new Board members section) Prior to moving to Utah, Mr. Murray practiced environmental law in Texas from 1984-19940.

III. Underground Storage Tanks Update

Brad Johnson informed the Board members that a Utah Underground Storage Tank (UST) Advisory Task Force (Task Force) meeting took place on May 25, 2005. In the meeting, the federal Energy Policy Act of 2005 that was previously discussed in the last Board meeting was presented to the Task Force members. Some members of the Task Force serve on national petroleum groups, and their feedback on this bill was requested. The House of Representatives has passed the bill, while the Senate is currently looking at a companion bill. The Division of Environmental Response and Remediation (DERR) will continue to monitor the bill and apprise the Board of any future developments.

Mr. Johnson continued on by stating that the main topic that was discussed in the Task Force meeting was the proposed rule changes to the UST Program, in which some comments were received. Of the comments received, there was a suggestion that the definition for the term "source," which is currently defined by policy, should be put into rule. The DERR looked at this suggestion further and feels that it is appropriate to move forward with putting it into rule.

A lengthy conversation also took place regarding Methyl Tertiary Butyl Ether (MTBE), which was discussed in last month's Board meeting as well. The MTBE issue is a rather complicated and difficult issue to deal with as there is no firm national guidance on the subject. State levels throughout the nation vary by an order of magnitude of the concentrations of contamination. Some of the discussion that took place concerning this topic was a suggestion to increase this number even more. However, the DERR is not comfortable with that as the state is on the high range of the national range, and that risk factors can be used to deal with contamination that is encountered.

Discussions took place as well concerning the identifying of specific “triggers” that would mandate reviews within certain time frames. Task Force members had a mixed response to this topic. The concern was that with putting time frames into rule, it puts constraints on all parties that they may not like. As such, the DERR is going to take a harder look at the subject and get further feedback from the Task Force in order to determine whether specific time frames should be established by rule.

Another subject that was discussed in the meeting was in reference to groundwater monitoring and how many events it takes for the DERR to feel satisfied that closure of the site is warranted.

The DERR is currently revising the proposed rules in response to these comments and discussions, and it is anticipated that these revised rules will be reviewed once again at the next Task Force meeting, which is scheduled to take place after the Legislative Natural Resources/Agriculture/Environment Interim Committee (Interim Committee) meeting scheduled for July. It is also projected that these rules will then be brought before the Board in September of this year.

Mr. Johnson then gave an update on the status of the Petroleum Storage Tank (PST) Fund. It seems that the state is not losing money as rapidly as it was a year ago, but that it is still on a downward trend. The balance of the fund is down \$200,000.00 from March to April of this year, but did receive an increase in May. However, the DERR has 3 or 4 projects occurring at this time that will approximately cost a million dollars over the next several months. The balance will be closely monitored and as stated in last month’s meeting, it is anticipated that the DERR will go before the Interim Committee in July to discuss the PST Fund. At that time, it will be recommended that the statute be changed to require facilities to choose to have all of their sites on the PST Fund or none at all. There is some uncertainty associated with this, as those facilities that are split, will have to make the business decision about what is going to be best for them. If they choose to stay on the fund, the DERR is optimistic that it will generate enough revenues for the fund to stabilize. However, if they choose to not have their facilities on the fund, then the revenues for the PST Fund will decrease even further. Despite this uncertainty, there is still time to deal with stabilizing the fund, as the Actuarial Study does not predict a negative balance until 2008. Also, if it became necessary, there is also the PST Loan Fund available to help stabilize the decrease in revenues.

IV. Adoption of Clandestine Drug Lab Rules (Board Action Item)

Bill Rees, Project Manager for the DERR, explained to the Board that in the 2004 General Session of the Utah Legislature, the Illegal Drug Operations Site Reporting and Decontamination Act was passed. The statute outlined the roles of various agencies, including the requirement that the Utah Department of Health (UDOH) develop standards for sampling and for decontamination, and the DERR to develop certification standards for any private person, firm, or entity involved in decontamination of a contaminated property. Based on this legislation, a stakeholder committee was formed, which included representatives from Local Health Departments (LHDs), the Utah Department of Environmental Quality, and the UDOH. The certification rules in question (R311-500 and R311-501) were patterned after existing rules within the DERR, specifically the certification rules for UST consultants. Comments from the stakeholder committee were also incorporated into the rules. The Board members were briefed on the rule making process in August 2004 as an informational item. To gather further information prior to public comment, the stakeholder committee was expanded to include representatives from real estate, law enforcement, and engineering consultant communities in January 2005. Only a few minor comments were received on the “draft” rules. In March 2005, the Board was requested to approve a formal public comment period. The formal public comment period was approved and ran from April 15, 2005, to May 16, 2005. During this period, comments were received and were included in the Board packet. Also during this time, the UDOH adopted R392-600, which established the standards for decontamination of a contaminated property. The effective date of those rules was May 2, 2005.

Mr. Rees then continued on by going over the comments received during the public comment period. The first set of comments related to R392-600, which are the standards that were adopted by the UDOH. The DERR forwarded these comments to the UDOH for their information.

The second set of comments related to the differences between a licensing program and certification. A licensing program is not authorized under the statute. As such, the DERR developed a certification program that will provide assurance that contractors are knowledgeable of the methodologies and procedures established in R392-600 and will comply with the performance standards in R311-500.

The final comments related to the level of training for contractors, and whether or not they are knowledgeable to perform decontamination of contaminated property. The DERR believes contractors should be knowledgeable of existing standards and believes this can be demonstrated through a detailed competency exam that will be administered as part of the certification process. A training manual is currently being developed and will prepare an applicant for the test. This manual will cover some of the critical elements of R392-600, such as preliminary assessment, sampling procedures, decontamination procedures, and disposal. Prior to finalizing the document, the DERR believes it is important to distribute the draft manual to the stakeholder committee for their review. There is nothing in the proposed rules that would prohibit an applicant from seeking further training, as they feel necessary to help with the exam.

In summary, Mr. Rees then stated that the certification program has been developed with input from various stakeholders, and that the DERR believes the program meets the requirement of the statute and provides assurance that contractors are knowledgeable of the procedures in R392-600. In so doing, the DERR requests that the Board adopt R311-500 and R311-501, with an effective date of August 8, 2005, with testing following soon thereafter.

Carlton Christensen asked if the DERR would be the one that would actually conduct the training courses, or would an outside provider conduct these training opportunities. Mr. Rees explained that an outside training course was not proposed, in part to help mitigate cost to applicants and streamline the application/certification process. The DERR believes that a contractor can demonstrate knowledge of the sampling and cleanup procedures by passing a detailed competency exam administered by the DERR. Mr. Christensen then asked if additional training actually exists out in the market. Mr. Rees stated that it was unknown what currently is available in the State of Utah, but that other states might have additional trainings available.

William Doucette inquired that if the state is not going to have hands-on training, when would the certification manual designed to assist with the exam be complete. Mr. Rees stated that with the effective date of August 8, 2005, for the rules, the goal is to have the manual done as soon as possible in order to minimize transition time. Currently, the manual is close to being submitted to the stakeholder committee for review and comments. Mr. Doucette then inquired if it was appropriate to have the rules adopted before the manual is completed. Mr. Rees explained that in order to develop the certification program, the DERR had to wait until the UDOH's rules were adopted. Those rules were adopted on May 2, 2005. The DERR recognizes that there is going to be a period of transition between the effective date of the rules and when the first testing is going to occur. The DERR is working with stakeholders to minimize any inconveniences during that time frame and feels that it is important to adopt the rules as soon as possible.

Mr. Doucette then asked if it was correct that just the person supervising the cleanup needed to be certified, while all other individuals working under them simply needed Occupational Safety and Health Administration (OSHA) certification. Mr. Rees answered in the affirmative. In the performance

standards proposed in R311-500-8, only the decontamination specialist making decisions relative to the process would need to be certified, as they are literally performing and supervising the activities associated with the decontamination. Requiring the other individuals to be OSHA certified would provide them with a level of knowledge in terms of health and safety issues in dealing with hazardous waste sites. It was felt that this training, in conjunction with the information and guidance provided by the decontamination specialist, would be a reasonable balance for cleanup personnel.

Mr. Doucette then stated that although the OSHA certification does give a level of safety, the training is generic and does not provide specific on the job training in that particular environment. It is unknown if these individuals would be properly and adequately trained to be involved in the decontamination process. Mr. Rees stated that the DERR is not proposing the OSHA certification as a decontamination standard, but that as a standard for individuals performing the work to take health and safety seriously in a professional environment. There must be reasonable balance in terms of training and knowledge required for a worker that is providing minimal assistance (e.g., helping move a couch) and one assisting with complete decontamination. The decontamination specialist must be the only one making decisions on the properly relative to cleanup and should give guidance to a worker to ensure the cleanup is done correctly.

In terms of the decontamination process, there are a number of contractors that are currently performing these types of activities and have experience with the process. This was considered in establishing the proposed standards. It was felt that by setting a competency standard with the exam, it would be consistent with the current approach being taken with UST consultants, and would give the agency control of the exam to generate the questions on the test. It was also felt that in conjunction with the manual, an individual could demonstrate knowledge of the proper procedures set forth in R392-600 through the competency exam. If an individual failed the exam or did not meet this standard, then the individual may need to seek some independent training. Mr. Johnson then reiterated that the UST consultant testing process was used as a model for how this certification was developed. Also, when the DERR started with the stakeholder process, discussions took place on how this certification could be handled in the most streamlined way possible. During these various discussions, all of the stakeholders agreed that this was the most efficient way possible.

Michael Brehm asked that with the way the proposed rules affect the market and those contractors already providing this service, is it possible that the market cannot provide enough individuals wanting to be certified. Mr. Rees explained that Salt Lake County currently has a list of approximately 20 contractors who are on a list for these types of cleanup. Some individuals on this list were included in the stakeholders committee in the development of these proposed rules. However, the ceiling of how many contractors are out there, or what the market might be for the contractors, is not known, but that it is felt that there are some contractors who would seek to become certified.

Mr. Brehm then asked if the certification program is not quite ready due to the development of the training manual, what are the outcomes of this situation. Mr. Rees explained that there would be a transition period and that the DERR is going to do everything possible to ensure that any inconvenience is minimized. However, there are options that exist during this transition period. When a property is discovered to be contaminated, the LHD would then be notified. They in turn would make a decision on whether or not that property is possibly impacted. If so, the site would then put on a contamination list. To be removed from that list, the party would need to choose between two options. One option is to perform a voluntary cleanup, with the LHD monitoring the cleanup to ensure concurrence with applicable standards. The other option would be to hire a decontamination specialist to perform the cleanup to meet the applicable standards. Until the second option is available, parties can work with LHDs to address contamination.

Dianne Nielson inquired as to how often the test would be administered. Mr. Rees stated that it was proposed that in the beginning, the test would be administered every month throughout the end of the year, and then quarterly thereafter, unless the market demanded otherwise.

Ms. Nielson then asked what the impact would be of waiting to have the proposed rules become effective in September after the manual had been completed and made available to the public. Mr. Rees explained that according to the Division of Administrative Rules, the DERR has 120 days from the day the rules were published to make them effective. This time frame will expire on August 13, 2005. If it were to expire, the ramifications would be that the DERR would need to start the rule making process over again, which means working with stakeholders, starting an additional public comment period, and finally seeking adoption of the rules before the Board. The August 8, 2005, effective date was chosen to maximize the opportunity to work with the stakeholders, recognizing that there would be a period of transition.

Ms. Nielson then stated that if it is just the window for rule making that is a concern and that there are not any other concerns by the LHDs or the UDOH, it seems that the DERR could simply re-advertise the proposed rules and start the clock over now instead of waiting to the August 13, 2005, deadline to start over. It would also be advantageous to have the manual available to the public before the rules are approved in order to have a mechanism in place for them to be prepared to take the exam. Richard Rathbun of the Utah Attorney General's Office also stated that re-advertising of the proposed rules is at the Board's discretion, but that it only makes good sense to make sure that Board does not approve a rule that requires certification, but that the implementation of the rule is not actually in place to issue that certification. If it was decided, the Board could approve the rules, but would need to state an effective date for the rules before which the manual would be finalized. However, the simplest way to deal with this time constraint is to simply have the implementation of the rules be approved at a later date, which would give the DERR time to put the actual mechanism in place for the certification testing of the cleanup contractors. Mr. Rees stated another reason to get the rules approved as soon as possible was to assist the individuals that may be faced with cleanup of a property that had been placed on the contaminated list. John Newman also commented that he would be reluctant to put the proposed rules in place when the training manual for certification could not be presented to the public.

Mr. Christensen then asked if there is any kind of disclosure to the worker who is not certified that informs them of the hazards associated with the cleanup of contaminated sites. Mr. Rees explained that OSHA was put in place to inform workers and give them tools to prevent exposure to hazardous substances and wastes. OSHA would provide a level of knowledge to the individual and give them the ability to recognize that they were dealing with a hazardous environment at all times, but would not provide a defined course on safety for clandestine drug labs. The training manual will include a section on health and safety issues associated with clandestine drug labs to ensure that individuals understand that they are dealing with a hazardous waste environment and as such, need to take appropriate measures.

Mr. Brehm asked that if the burden of the deadline or time constraint was removed concerning the approval of the rules, and a reasonable amount of time was given to the DERR to complete the program, approximately how much longer would it take to get the program fully functional. Mr. Rees stated that it would be anticipated that the program could be operational by the end of September, which would also include the administering of the first certification exam.

Ms. Nielson then added her appreciation for the work that has been done by the DERR and all of the stakeholders in implementing this program to establish state certification standards. Mr. Christensen also wanted to express his gratitude and appreciation for the hard work that has been done in order to get

this program up and running as the state has come a long way and has overcome many obstacles in the process.

Mr. Rathbun then questioned and expressed concern about R311-501-4, which states “intervention shall not be allowed,” and why the Board would want this type of rule as it is contrary to the Administrative Procedures Act. It was suggested that it might be prudent to find out what the reasons were for including this in the rules and reconsider it, as it is unknown if the Board has the rule-making authority to initiate this type of rule. Mr. Johnson explained that this rule came straight from the UST consultants certification program. However, the DERR will go back and discuss this issue in further detail in order to go over all of the legal implications of the rule.

It was motioned by Dianne Nielson and seconded by John Newman, and unanimously carried that the Clandestine Drug Lab Rules be disapproved at this time until the appropriate changes to the rules are made, and that the DERR go back and determine the schedule for reconsideration of the proposed rules, the completion of the training manual, and the initiation of the testing process.

V. Used Oil Section

Stipulation and Consent Order between the Board and Emerald Services, Inc. (Informational Item)

Cheryl Prawl explained the proposed Stipulation and Consent Order No. 0502004 (SCO) between the Board and Emerald Services, Inc. Emerald Services, Inc. is a permitted used oil processor, transporter, and marketer located at 2450 South 800 West, Salt Lake City, Utah. It also operates a used oil transfer facility at about 650 West 500 South in Union Pacific’s 4th South Rail Yard, Salt Lake. Between June 17 and July 21, 2004, Division inspectors visited the 4th South Rail Yard. During their visits, the inspectors discovered compliance issues that led to the issuance of Notice of Violation No. 0408025 (NOV) on February 7, 2005. The NOV was issued in response to five inspection findings: (1) Emerald stored used oil in a part of the rail yard not covered by the permit; (2) Emerald failed to have two drivers present during loading operations between a rail car and truck; and (3), (4), and (5) Emerald failed to use secondary containment for its trucks, rail cars, and connecting hoses while loading/unloading used oil from trucks to rail cars.

Ms. Prawl stated that Emerald Services has been very cooperative and responsive to resolve the NOV, and a proposed SCO has been negotiated with Emerald Services. Under the terms of the proposed SCO, Emerald Services will pay a penalty of \$11,360.00.

The public comment period for the SCO began on May 17, 2005, and will end on June 15, 2005. The SCO will be brought back to the Board for final action at the next meeting.

VI. Hazardous Waste Management Section

Nucor Steel Delisting Petition Update (Informational Item)

Allan Moore explained that the Executive Secretary of the Utah Solid and Hazardous Waste Control Board had proposed before the Board on February 10, 2005, a rule to exclude a hazardous waste generated by Nucor Steel from the list of hazardous wastes identified in R315-2-10(f) of the Utah Administrative Code (the Rules).

A public comment period was conducted from March 1, 2005 to April 15, 2005, in which substantial comments were received. Due to the nature and extent of the comments, the Division will not be able to make the mandated 120-day deadline for final action on the proposed rulemaking specified by the Utah Administrative Rules. The Division will work to resolve comments received concerning the rule and will prepare for the rule for re-submission to the Board at a later date after all the comments have been addressed.

Mr. Moore stated that Nucor Steel representatives are working with Division staff to respond to the comments received.

VII. Hazardous Waste Facilities

Stipulation and Consent Order between the Board and The Ensign Bickford Company (Board Action Item)

Brad Maulding reviewed the information regarding Stipulation and Consent Order No. 0503007, between the Board and The Ensign Bickford Company that was presented to the Board at its May 12, 2005 Board meeting. On February 7, 2005, the Executive Secretary issued a NOV/CO, No. 0412039, to The Ensign-Bickford Company (EBCo), for violations that occurred at the facility. The NOV/CO alleged that EBCo violated the following: failure to label or mark containers of hazardous waste with the words “hazardous waste” and with dates of accumulation; failure to keep a written operating record on-site; and failing to maintain a container of universal waste in a closed condition.

Mr. Maulding stated that all the violations alleged in the NOV/CO and the additional violations identified in the proposed SCO have been resolved. Mr. Maulding stated that The Ensign Bickford Company may have had some misunderstanding of how to manage their waste, however, they have made the necessary corrections and are currently managing their waste correctly. The SCO includes a penalty of \$3,300.00.

The public comment began on April 21, 2005, and ended on May 20, 2005, no comments were received. It was recommended that the Board approve the SCO.

It was motioned by Carlton Christenson and seconded by William Doucette and unanimously carried that the proposed Stipulation and Consent Order No. 0503007 to resolve the Notice of Violation No. 0412039 issued to The Ensign-Bickford Company on February 7, 2005, be approved.

VIII. Commercial/Federal Facilities

A. Stipulation and Consent Order between the Board and Envirocare of Utah, LLC. (Informational Item)

Don Verbica reviewed a Stipulation and Consent Order (SCO) that resolves a Notice of Violation (NOV) issued to Envirocare of Utah, Inc. on March 8, 2005. The NOV covers the period from October 1, 2003 to September 30, 2004. Five out of the eight violations were self-identified violations during the same time period. These violations are as follows: disposal of un-sampled waste without the required sample taken, disposal of non-LDR compliant waste prior to awaiting analytical results, unauthorized changing of the microencapsulation formula by increasing LDPE/waste ratio, failure to follow the prescribed formula for 138 waste treatment batches by macroencapsulation, and failure to submit a groundwater monitoring report on schedule. The other three violations discovered by DSHW personnel were as follows: failure to test the clay stockpiles at the permitted frequency, failure to perform in-place moisture tests as prescribed, and failure to perform calibration of the nuclear density gauge as required. All the violations have been resolved. The SCO includes a penalty of \$22,264.00.

The public comment period began on May 26, 2005, and will end on June 27, 2005. The Stipulation and Consent Order will be brought back to the Board for final action at the next meeting.

Scott Bruce asked if a sample was able to be obtained. Don Verbica stated that disposal of the waste occurred before a sample could be taken.

B. Clean Harbors Grassy Mountain Facility, LLC, request for a site-specific treatment variance for mercury bearing waste streams (Waste Code D009) (Informational Item)

Don Verbica informed the Board that on April 25, 2005, Clean Harbors Grassy Mountain Facility submitted a request to the Executive Secretary of the Utah Solid and Hazardous Waste Control Board for a site-specific treatment variance from the Utah Hazardous Waste Management Rules. The variance request seeks authorization to stabilize a waste stream that carries the waste code D009 (High Mercury – Subcategory Inorganic). The treated

waste is then proposed to be disposed in a Hazardous Waste Disposal Landfill Cell at the Grassy Mountain Facility.

Chris Lilley, Environmental Compliance Manager for Clean Harbors, stated that the Grassy Mountain Facility proposes to receive a waste stream from the Clean Harbors Aragonite Facility that is a listed waste for bag house dust that contains High Mercury Subcategory Inorganic (D009). The technology based treatment codes for this material is either IMERC (incineration followed by recovery) or RMERC (roasting/retort followed by recovery). The RMERC and IMERC processes generate secondary waste streams. The secondary waste streams (when greater than 260 mg/kg mercury) are required to be further stabilized to a level of .2 mg/L based on the toxicity characteristic leaching procedure (TCLP) in SW846. The Grassy Mountain Facility is proposing to treat the waste directly with a stabilization method rather than going through the initial retort or incineration of the waste. This proposal is made due to the corrosive nature of the waste stream, which is damaging to the equipment at the recovery facility. The hardship for Clean Harbors is that there currently is no way for the company to dispose of the waste. The Grassy Mountain Facility has conducted a treatability study on the waste stream. The formula developed for treating this waste stream resulted in no mercury being detected following treatment. The Grassy Mountain Facility is proposing to stabilize the waste to a level below .2 mg/L, based on the TCLP method. This would satisfy the high mercury subcategory requirement. In addition, LDR compliance will be met with all other waste codes associated with the waste prior to disposal. Grassy Mountain has an alternative to send this material to Canada for disposal by stabilization. While this is a possible alternative, it is not practical, when Grassy Mountain can perform the exact same stabilization method on-site by approval of this variance.

The public comment period began on May 12, 2005, and will end on June 13, 2005. A public hearing was held on May 24, 2005, no comments were received.

William Doucette asked if it was equally effective over the entire concentration range. Mr. Lilley stated that it was equally effective over all three of the concentration ranges. Mr. Lilley stated that there are nine boxes total, and it is a single waste stream.

Craig Anderson asked if corrosivity was a problem with this particular waste stream in addition to the mercury. Mr. Lilley stated it is a problem due to the high chlorine contained in the waste stream. There is no incentive for any disposal company to take the waste stream as it ruins equipment.

The variance request will be brought back to the Board for final action at the next meeting.

IX. Chemical Demilitarization

A. TOCDF Update - Dave Larsen

TOCDF has completed the processing of VX mines. The VX campaign is now complete. Mustard agent is the only remaining agent to be destroyed. The mustard agent constitutes half of the remaining stockpile. It is anticipated that it will take one year for the change over to begin the processing of the mustard. Also, TOCDF will begin destroying the secondary waste, as well as, four-ton containers of GA in storage at Deseret Chemical Depot (DCD).

Dennis Downs stated that recent newspaper articles have stated that various political representatives at the federal level have suggested that the Deseret Chemical Depot (DCD) be utilized for other purposes rather than just closing once the stockpile destruction is completed. Mr. Downs stated that in the past, various other suggestions have been made regarding DCD including relocating chemical weapons to Utah from stockpile sites where disposal facilities have not yet been built, and/or the construction of an oil refinery. Mr. Downs has received some information from the Army stating that at this time there is no intent to bring out-of-state chemical agent into Utah for disposal or to construct an oil refinery at DCD. It is the Army's intent to continue close of the DCD facility.

B. Dugway's Variance request, Landfill Cap Specifications (Board Action Item) – David Larsen

David Larsen reviewed Dugway's variance request, Landfill Cap Specifications, that was presented to the Board on May 12, 2005.

The public comment period began on March 29, 2005, and ended on May 20, 2005, no comments were received.

Dave Larsen clarified that this site will continue to be regulated under a post-closure permit. The land usage will be restricted to existing use as a landfill and inspections will be continued to ensure that all closure requirements are adhered to.

Michael Brehm asked if this particular site is involved with English Village. Dave Larsen stated that this site is approximately 15 miles west of English Village.

It was motioned by William Doucette and seconded by Kevin Murray and unanimously carried that Dugway's Variance request, Landfill Cap Specifications (HWMU 37), be approved.

X. Other Business

Scheduling of Board Meetings for July and August

After discussions including Board members' schedules and pending Board action items, it was determined that a July Board meeting will be scheduled. No Board meeting will be held in August.

The next meeting was scheduled for July 14, 2005 at 1:00 p.m. at the DEQ (Conf. Room 101), 168 North 1950 West, (Bldg. #2), SLC, Utah.

The meeting adjourned at 3:00 p.m.